

## Message Text

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ORIGIN NEA-06

INFO OCT-01 SS-14 ISO-00 L-01 OES-02 NSCE-00 NSC-05 INR-05

CIAE-00 DODE-00 SP-02 PRS-01 IO-03 RSC-01 /041 R

DRAFTED BY NEA/IRN:CNAAS

APPROVED BY NEA:SSOBER

L/NEA:KHUFFMAN

AEC:AFRIEDMAN

----- 099481

R 082326Z JAN 75

FM SECSTATE WASHDC

TO AMEMBASSY TEHRAN

C O N F I D E N T I A L STATE 004497

LIMDIS

E.O. 11652:GDS

TAGS: TECH, IR

SUBJECT: NUCLEAR ENERGY AGREEMENT WITH IRAN

REF: STATE 003006

1. CIRCULAR 2D175 AUTHORITY HAS BEEN GRANTED TO AEC OR ITS SUCCESSOR AGENCY (ERDA) "TO UNDERTAKE NEGOTIATION" OF NUCLEAR ENERGY AGREEMENT. IN ADDITION TO COPIES OF DRAFT AGREEMENT TO BE HAND CARRIED BY FRUTKIN (REFTEL) WE ARE POUCHING COPIES TO CHAPMAN.

2. FOLLOWING IS FROM CIRCULAR 175 MEMORANDUM AND IS STRICTLY FYI. THE DRAFT AGREEMENT WOULD REQUIRE IRANIAN ACCEPTANCE OF BILATERAL PROVISIONS WHICH ARE ADDITIONAL TO THOSE PREVIOUSLY IMPOSED UPON OTHER PARTIES TO THE NPT BUT ARE LESS RESTRICTIVE THAN THOSE WE SEEK WITH EGYPT AND ISRAEL. SPECIFICALLY, ARTICLE VIII (C.) REQUIRES THAT ANY REPROCESSING, FABRICATION OR STORAGE OF "SPECIAL NUCLEAR  
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MATERIALS" (PLUTONIUM OR URANIUM ENRICHED IN THE ISOTOPE

233 OR 235) SUPPLIED BY THE U.S., OR OF FUEL ELEMENTS CONTAINING SUCH MATERIALS PRODUCED FROM U.S.-SUPPLIED EQUIPMENT OR MATERIALS, TAKE PLACE IN FACILITIES ACCEPTABLE TO BOTH PARTIES. THIS PROVISION WOULD ENABLE THE U.S. TO INSIST UPON EXTERNAL REPROCESSING AND STORAGE OR UPON THE

ESTABLISHMENT OF STANDARDS FOR INTERNAL DISPOSITION OR EVEN PRESS FOR THE CONSTRUCTION OF A MULTILATERAL REPROCESSING PLANT IN IRAN. IN ADDITION, ARTICLE VIII (E.) OF THE AGREEMENT WOULD PROVIDE FOR MUTUALLY AGREED PHYSICAL SECURITY MEASURES. AS A PARTY TO THE NPT, IRAN IS ALREADY OBLIGATED TO PLACE ALL ITS NUCLEAR FACILITIES UNDER IAEA SAFEGUARDS AND TO REFRAIN FROM ACQUIRING PEACEFUL NUCLEAR EXPLOSIVES.

3. CONTINUE FYI: THE INITIAL STRATEGY TO BE EMPLOYED IN NEGOTIATING THE AGREEMENT WITH IRAN CONTEMPLATES THAT THE AGREEMENT WOULD BE PRESENTED TO THE GOI WITHOUT AN ACCOMPANYING NOTE OR OTHER EXPLANATION. IF IRAN ACCEPTS THE AGREEMENT WITHOUT QUESTION, THOSE CLAUSES IN THE AGREEMENT WHICH GIVE DISCRETIONARY AUTHORITY TO THE U.S. WOULD BE USED BY THE U.S. AS IT SEES FIT UNDER FUTURE CIRCUMSTANCES CONSIDERING: THE RATE OF GROWTH OF IRAN'S NUCLEAR PROGRAM; ITS CONTINUED PEACEFUL INTENTIONS; THE RELATIVE STABILITY OF THE AREA IN QUESTION; AND OTHER FACTORS.

IF IRAN CHALLENGES THE BASIC CONCEPT OF REQUIRING MUTUAL AGREEMENT FOR PLUTONIUM DISPOSITION OR RAISES QUESTIONS ABOUT THE POTENTIALLY MORE RESTRICTIVE INTERPRETATIONS OF THE AGREEMENT (OR WISHES TO MODIFY THEM TO MAKE THEM MORE LIBERAL), WE WOULD THEN OFFER TO PREPARE AN EXCHANGE OF NOTES WHICH WOULD ASSURE IRAN THAT ITS NPT STATUS WOULD BE TAKEN INTO ACCOUNT IN THE EXERCISE OF U.S. RIGHTS UNDER THE AGREEMENT, AND THAT THE U.S. WAS PREPARED TO CONSIDER THE SITING OF REGIONAL REPROCESSING, FABRICATION, AND STORAGE FACILITIES IN IRAN WHEN ECONOMIC AND TECHNICAL CONDITIONS WARRANTED, WITHIN AN AGREED MULTINATIONAL STRUCTURE.

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IN STATEMENTS MADE TO IRAN OR LANGUAGE INCLUDED IN ANY DIPLOMATIC NOTE, WE SHOULD SEEK TO PRESERVE OUR ABILITY TO IMPOSE CONDITIONS ON IRAN WHICH ARE LESS STRINGENT THAN NON-NPT PARTIES BUT WHICH RECOGNIZE THE NEED FOR SOME SPECIAL CONDITIONS BEYOND NPT REQUIREMENTS DUE TO IRAN'S SENSITIVITY. END FYI.

4. ACTION REQUESTED: YOU SHOULD TRANSMIT COPY OF DRAFT

AGREEMENT SOONEST TO ETIMAD TO MEET GOI REQUEST THAT  
DRAFT BE RECEIVED AT LEAST ONE WEEK BEFORE MEETING OF  
COMMITTEE ON NUCLEAR ENERGY. YOU SHOULD NOT RPT NOT  
ENGAGE IN DISCUSSION OF SPECIFICS OF AGREEMENT. U.S.  
DELEGATION TO COMMITTEE MEETING WILL BE PREPARED DISCUSS  
DRAFT. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NUCLEAR ENERGY, SCIENTIFIC COOPERATION, AGREEMENTS, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 08 JAN 1975  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
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**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**TAGS:** TECH, IR, AEC  
**To:** TEHRAN  
**Type:** TE  
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